

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARCY BROWN	:	Case No. 23-240
	:	
Plaintiff,	:	The Honorable Maureen P. Kelly
	:	
vs.	:	PLAINTIFF’S RESPONSE TO MOTION
	:	TO QUASH SUBPOENAS FAXED TO
FRANKLIN AREA SCHOOL DISTRICT;	:	COUNSEL ON AUGUST 22, 2024
EUGENE THOMAS; THOMAS	:	
HOLOMAN; and KRIS MILLER,	:	Filed on Behalf of: Plaintiff, Marcy
	:	Brown
Defendants.	:	
	:	COUNSEL OF RECORD FOR THIS
	:	PARTY:
	:	Neal A. Sanders, Esquire
	:	PA ID NO. 54618
	:	LAW OFFICES OF NEAL A. SANDERS
	:	262 South Water Street, Suite 200
	:	Kittanning, PA 16201
	:	
	:	(724) 919-8884

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MARCY BROWN	:	Case No. 23-240
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Plaintiff,	:	
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vs.	:	
	:	
FRANKLIN AREA SCHOOL DISTRICT;	:	
EUGENE THOMAS; THOMAS	:	
HOLOMAN; and KRIS MILLER,	:	
	:	
Defendants.	:	

**PLAINTIFF’S RESPONSE TO MOTION TO QUASH
SUBPOENAS FAXED TO COUNSEL ON AUGUST 22, 2024**

Plaintiff, Marcy Brown, by and through her undersigned counsel, files the following Response to Motion to Quash Subpoenas Faxed to Counsel on August 22, 2024:

1. Plaintiff denies that there are any subpoenas to “quash” as none of the subpoenas faxed to Defendant’s counsel on August 22, 2024, were served on the individuals to whom they are directed, nor were there any attempts at personal service. Rather, they were only sent to defense counsel for the purpose of providing notice and to determine if he would accept service on behalf of the individuals who are employees of the Defendant Franklin Area School District.

2. In consideration of the Defendant’s Motion to Quash, Plaintiff withdraws the subpoenas, which again have not been served upon any of the individuals to

whom they are directed.

3. Plaintiff intends to reissue the subpoenas pursuant to, and in compliance with, Rule 45 of the Federal Rules of Civil Procedure.

WHEREFORE, Plaintiff's respectfully requests that this Honorable Court deny as moot the Defendant's Motion to Quash Subpoenas Faxed to Counsel on August 22, 2024.

Respectfully submitted,

LAW OFFICES OF NEAL A. SANDERS,

Dated: August 29, 2024

By: /s/Neal A. Sanders

Neal A. Sanders, Esquire

Pa Id # 54618

Law Offices of Neal A. Sanders

262 South Water Street, Suite 200

Kittanning, Pennsylvania 16201

(724) 919-8884

Counsel for Plaintiff

Marcy Brown

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 29th day of August 2024, a true and correct copy of the foregoing *Plaintiff's Response to Motion to Quash Subpoenas Faxed to Counsel on August 22, 2024*, was sent by facsimile and/or email, to the following:

Robert Zaruta
KNOX LAW FIRM
120 West Tenth Street
Erie, PA 16501

Dated: August 29, 2024

By: /s/Neal. A. Sanders

Neal A. Sanders, Esquire
PA ID No. 54618
Counsel for Plaintiff

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